R.Dis. File No. 168

Collection No.

1939

Mysore Residency

(P35)

QB
21/7/47

~~Pros.~~ Serial Nos. 1 – 11

(K)

Subject.

APPLICATION OF ACTS TO THE C. AND M. STATION

AMENDMENTS TO THE C. AND M. STATION OF BANGALORE APPLICATION OF LAWS ORDER.

Previous References.

205-1937

Later References.

S. 97.—(Blue).

MFP—1496 S&P—(M-2792)—5-5-38—100,000.

LIST OF ACTS OF THE CENTRAL LEGISLATURE PASSED SINCE THIS RESIDENCY LAST CONSIDERED THEM.

Sl.No.	Act.No.	Short Title	Object of the enactment.	When coming into force in British India.
1.	XX of 1938 (B)	Criminal Law Amendment Act, 1938. (p.149 Part IV Gaz.of India, 17-9-1938)	To supplement the criminal law by providing for the punishment of certain acts prejudicial to the recruitment of persons to serve in, and to the discipline of His Majesty's Forces.	Shall come into force in Province on such date as the Prov.Govt. may appoint.
2.	XXI of 1938 (C)	Indian Emigration (Amendment) Act, 1938. (p.151 Part IV, G. of I.,1-10-38)	Primarily to prohibit departure by sea from British India for the purpose of unskilled work.(Amends Act VII/22)	22-9-1938
3.	XXII of 1938 fr. 153 (C)	Indian Aircraft (Amendment) Act, 1938. (p.153,Part IV, G. of I.,1-10-38)	To take emergency powers for protecting public health. Amends Act XXII of 1934.	24-9-1939.
4.	XXIII of 1938 fr. 154 (C)	Indian Tea Cess (Amendment) Act, 1938. (p.154, Part IV, G. of I.,1-10-38)	Modifying the strength of the Cess Committee. Amends Act IX of 1903.	On such date as the Central Govt. may appoint.
5.	XXIV of 1938 fr. 155 (C)	Employers' Liability Act, 1938. (p.155,Part IV, G. of I., 1-10-38).	To prohibit certain defences being raised in suits for damages in respect of injuries sustained by workmen.	24-9-1939
6.	XXV of 1938 (D)	Prevention of Cruelty to Animals (Amendment) Act, 1938. (p.157,G.ofI., Part IV,dated 10-12-38)	To prevent 'phooka' (and other forms of cruelty to animals) etc. Amends Act XI of 1890.	1-12-1938.

7.	XXVI of 1938. fr. 162 (D)	Employment of Children Act, 1938. (p.162, Part IV, Gaz. of I.,10-12-38)	To prohibit the employment of children in certain occupations.	1-12-1938

1 9 3 9

8.	I of 1939 (E)	Indian Tariff (Amendment) Act, 1939. (p.1, Gaz.of I., Part IV, 4-2-39)	Imposing customs duty on import of wheat. Amends Act XXXII of 1934.	28-1-1939
9.	II of 1939 (E)	Ajmer Merwara Municipalities Regln. (Amendment) Act,1939. (p.2, Part IV, G. of I., 4-2-1939).	Amends Reguln. VI of 1925	1-2-1939
10.	III of 1939 (F)	Destructive Insects and Pests (Amendment) Act, ~~1939~~ 1939. (p.3, Part IV, G. of I. 11-2-1939)	Amends Act II of 1914.	2-2-1939
11.	IV of 1939 (G)	Motor Vehicles Act,1939 (P.5, Part IV, G. of I. 25-2-1939)	To consolidate and amend the law relating to motor vehicles.	1-7-1939; ~~Parts~~ Chapter VIII will come into force on 1-7-43.
12.	V of 1939 fr.77 (G)	Indian Cotton Cess (Amendment) Act,1939. (p.77, Part IV, G. of I 25-2-1939)	Amends the Cotton Cess Act, 1923.	17-2-1939
13.	VI of 1939 fr. 78 (G)	Indian Merchant Shipping (Amendment) Act, 1939. (fr. 78 Part IV G. of I 25.2.39)	Amends the Indian Merchant Shipping Act,1923.	17-2-1939
14.	VII of 1939 fr. 79 (G)	Indian Income-tax (Amendment) Act,1939. (p.79, Part IV, G. of I 25-2-1939)	Introducing the Slab system etc. Amends the Act of 1922. XI	Part I - 1-4-1939 Part II subsequently.

Hc
18.3.39

R.Dis.F. 168 of 1939 3/2 Application of Acts to the C. and M.Stn.

(A new file ~~will~~ has been be opened) 1

Please put up a list of all acts passed since we last considered them, & examine which should be applied to Cant Station.

H Prentice.

14/3/39.

× S.N. 70 F. 205-37 (Submitted Separately) 2

C. fr. 1-2

(A) (B) 3 (C)

The last × Act we considered was Act XIX of 1938 - The Child Marriage Restraint (Second Amendment) Act, 1938. A list × of all Acts passed since then is submitted.

1. XX of 1938. Criminal Law Amendment Act, 1938.

It seems desirable to apply this to the Station.

2. XXI of 1938. Indian Emigration (Amendment) Act, 1938

Inapplicable to the C. and M. Station. ~~xxdxfxxthxx~~ The original Act has not been applied. Hence not necessary.

fr 153 (C)

3. XXII of 1938. Indian Aircraft (Amendment) Act, 1938.

The original Act (XXII of 1934) is in force in the Station. This Act (1938) adds a new section viz., 8.B under which the Central ~~th~~/Govt. may take emergency powers when any part of India is threatened with or visited by an outbreak of any dangerous epidemic and thus prevent the spread of the disease by the agency of aircraft. We will ~~are~~ shortly by recommending to the Political Deptt. the desirability of applying the Aircraft Rules for the time being in force in British India. The Central Govt. will be ~~publishing~~ issuing rules to carry out the objects of the 1938 amendment Act and it seems that it will facilitate matters if the Act is brought into force in the Station

4. XXIII of 1938. Indian Tea Cess (Amendment) Act, 1938.

fr 154 (C)

Not necessary. The original Act (IX of 1903) is not

not in force.

fv. 155 (C)

5. XXIV of 1938. Employers' Liability Act,1938.

This is a salutary measure and may be applied.

(D)

6. XXV of 1938. Prevention of Cruelty to Animals (Amendment) Act, 1938.

The original Act (XI of 1890) is in force in the Station and this Administration has all along taken a keen interest in promoting kindness to animals. It may be stated in this connection that as early as 1932 a case in which Capt.Jaffir, Supdt. of the Kunegal Stud Farm was accused of an offence of ill-treating and starving horses which he was keeping in the Station, came up to the Resident's Court (Cr.Revn. Case No.3 of 1932). The Additional Judge in his judgement stressed the desirability of amending the Prevention of Cruelty to Animals Act. He said:

(N)
68/1933

> "The facts of the records appear to disclose a bad case of underfeeding certain horses. - - - The effect of this section (section 3(c) of the Act) would appear to be that it is open to any one to ill-treat an animal so long as it is not for sale and he does not cause its death. It seems to me that the provisions of the Act are too limited and that it is worthy of consideration whether something wider is not required".

The question of suggesting to the Govt. of India the desirability of amending the Act was taken up but was not pursued. Section 3 of the Act as now substituted by the Amendment Act of 1938 meets the point raised by the Additional Judge.

para 40 of note (N)

In the circumstances the application of the Amendment Act of 1938 seems highly desirable.

fv. 162 (D)

7. XXVI of 1938. Employment of Children Act,1938.

Under section 3(1) no child who has not completed his fifteenth year shall be employed or permitted to work in any occupation connected with the transport of passengers, goods or mails by railway.

The

The Commissioner of Police will be able to say whether the conditions obtaining in the railway lands under our jurisdiction warrant the application of this Act.

(E) 8. I of 1939. Indian Tariff(Amendment) Act, 1939.

The Tariff Act, 1934 (XXXII of 1934) is not in force and the amendment Act is unnecessary.

f. 2 (E) 9. II of 1939. Ajmer Merwara Municipalities (Amendment) Act, 1939.

Unnecessary to consider the question of its application.

(F) 10. III of 1939. Destructive Insects and Pests(Amendment) Act, 1939.

The original Act (II of 1914) is not in force and its necessecity has not been felt. The amendment Act need not be applied.

(G) 11. IV of 1939. Motor Vehicles Act, 1939.

This is an important enactment and requires special consideration. After retrocession it is proposed to have a local law for the Administered Areas modelled on the Mysore Act which will then be in force. The Mysore Govt. have already undertaken to adopt legislation based on the 1939 Act and it will therefore facilitate matters if the 1939 Act is applied to the Station as early as possible. Part I of the Act will come into operation in British India on the 1st July 1939.

The question will be further examined separately on the file relating to the Indian Motor Vehicles Act, 1939.

f. 77 (G) 12. V of 1939. Cotton Cess (Amendment) Act, 1939

Unnecessary.

f. 78 (G) 13. VI of 1939. Merchant Shipping (Amendment) Act, 1939

Inapplicable.

6

jv.79(G)

14. VII of 1939. Income-tax (Amendment) Act, 1939.

The question of the application of this Act is separately under examination by the Income-tax Officer and Asst.Commissioner of Income-tax.

Pol. Deptt. addressed re. Application.

4

This file may be sent U/O to the Collector for favour of his views. He may consult the Commissioner of Police regarding the necessity of applying Act XXVI of 1938 - vide item 7 ante. The Collector may be requested to give his tentative views regarding the application of the Indian Motor Vehicles Act,1939 (item 11 ante) also.

18.3.39

Secretary.

5. I agree throughout: but we need not deal with motor vehicles Act. That must be taken up separately, & at once. It is a very important Act & must be put into force.

Existing Cases.

6. Retrenchment prospects and not prevent application of any of these Acts.

7. D.M. may see for remarks

22/3/39.

D.M.U/o

OFFICE OF THE COLLECTOR & D.M. BANGALORE
USE
27 MAR. 1939
No. 1156 B 39

U/O No.R.Dis.F.168/1939/Judl

Dated the 25th March 1939.

To the District Magistrate, Civil and Military Station, Bangalore, U/O.

7

8/ I agree with the Secretary's note to my first.

9/ C.P. advises that the Employment of Chelvani Ast Md. be applied and I agree

9.4.39

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
10 APR. 1939
Diary No. 3764
File No. RB 168-39

S.M.V.

U.O.No. 1156-B-39 dt 9.4.39.

10/4 J.C

A draft of the various modifications to which the Acts may be subjected is submitted with the following comments:-

(B) 10

Criminal Law Amendment Act, XX of 1938. It does not appear to be necessary to apply to the Station the various Acts enumerated in Section 2(b) of this Act. Please see section 131 of the Indian Penal Code (XLV of 1860), which deals with offences relating to the Army, Navy and Air ~~Forces~~ Force. It has not been considered necessary to apply the Acts enumerated therein also.

how to be applied (See Dof Ordinance file.)

o page 153 q 11.

(C)

The Aircraft (Amendment) Act, XXII of 1938. For section 8-A of the Aircraft Act, 1934, please see item 102 of the Table showing effect of Legislation during 1936. (The Civil Court Manual which professes to have been "brought up to August 1937" does not contain this amendment). No modifications appear to be necessary.

put up

(D) 12.

Prevention of Cruelty to Animals (Amendment) Act, XXV of 1938.

Under section 6-B, it will be necessary to appoint infirmaries, or declare the Veterinary Hospital as an infirmary. Separate proposals may be invited from District Magistrate after the draft issues. The section may be applied without modifications unless District Magistrate suggests otherwise.

ASRao
5.6.39

(From para 10)

Secretary

13.

As verbally directed, the draft has been amended adding the new sections 8-A and 8-B of the Aircraft Act to the sections enumerated in section 7-A of that Act by modification (3)

ASRao
9.6.39

Forwarded 14. Draft covering letter.
10/6/39

Secretary

Resident

15 Draft of a covering letter to the Political Department is submitted for approval.

ASRao
12.6.39

Secretary. Draft for approval. This is the normal application of new act.

Resident.

H Rulyar (17)
13/6/39 a/p forwarded
19/6/0

S. N. (1) issued.

Bhatt

S. N. (2) : Issue.

Dy.No.6466. S.N.(3).

(A)

18 Please see S.N.2.

Draft submitted(with fair).

(Kanwar Ji)

14.7.39.

5.7.

ASRao
4.7.39

S.N.(4): Issue

A.S.

Bhatt.

10

Dy.No. 7092 S.N. 5

19

The Notification of the Political Department may as usual be republished in the Residency Orders. Draft submitted.

21.7.39

22.7.

A.S.

S. N. (6): Issue.

'A' & 'B'.

Please see S.N.3 and 4.

Draft submitted with fair.

16.8.39.

17.8

16.8.39

S.N.(7) : Issue.

Dy.No.8732. S.N.(8).

Please see S.N.1/c.p.1 - 3. Alterations from our draft have been underlined in red. The following comments are submitted:-

111. The Indian Aircraft Act, 1934 (XXII of 1934).

Modification (3) introducing new section 7-A was included prior to the Political Department's Notification No.177-I.B, dated the 10th August 1938. This is now unnecessary. However similar provision exists in other Acts also, e.g. The Indian Income-tax Act, 1922 (XI of 1922), The Indian Companies (Amendment) Act, 1930 (XIX of 1930), The Sugar, Matches and Mechanical Lighters (Excise Duty) Acts, 1934 (XIV, XVI & XXIII of 1934), etc. They should also be omitted. We may propose this when we get an opportunity to suggest modifications to these Acts.

The modifications proposed by us have been retained in respect of the Criminal Law Amendment Act, 1938, the Indian Aircraft (Amendment) Act, 1938, and the Employers' Liability Act, 1938.

No

12

No modifications to the Prevention of Cruelty to Animals (Amendment) Act, 1938, have been included. The modifications proposed by us have been omitted obviously because these provisions are unworkable in the Civil and Military Station. However our modification (1) might have been retained as there is a Commissioner of Police in the Station. We need not perhaps pursue the point.

cf. 2 'A'.

131. The Employment of Children Act, 1938 (XXVI of38).

Section 8 has also been omitted. This section is not necessary. (Please see our proposals in the draft Administered Areas Application of Laws Order - entry No.119 in the draft in the linked file below) Modification (2) of the Political Departments is necessary in view of the omission of section 2.

22

Please see para 9 of notes ante. The Employment of Children Act was proposed on the recommendation of the Commissioner of Police and the District Magistrate If approved D.M. may be asked to send a draft of rules for the Station, if he considers them necessary.

Two drafts submitted for approval.

(Please also see the linked file for modifications to the draft Administered Areas Application of Laws Order).

Copy of Sr.8 & para 22 of above and Sr. 10 kept in R.Dis F. 561-39 for separate action.

fu. 20/10/39.

fu. 29.8.39.

(para: 21 & 22)

Thakur 9/9/39

ASRao 7.9.39

Secretary.

S.N. (9)

13

Dy.No.11,645. S.No.(10).

H.

Please see S.No.4 of Retrcn.file 83(7)-39.

The modifications proposed by this Residency have been approved without alteration.

Draft submitted for approval.

(~~Relevant extracts from the retrocession file will be kept in the file after issue.~~)
(For note please see Retrcn file 83(7)-39)

Jr. 21.11.39.

23/4/39.

AsPa 22.11.39

S.N.(11) : Issue

Secretary.

Record.

AsPa

S.N.1

1

R.Dis.No. F.168-39 Judl. Encl (1) notification

Issued 16/6/39

From

The Hon'ble Lt. Col. J.H.Gordon, C.I.E., O.B.E., M.C.,
Resident in Mysore.

To

The Secretary to His Excellency
the Crown Representative, Simla.

Dated Bangalore, the 16th June 1939.

Application of Acts to the Civil and Military Station of Bangalore.

Sir,

I request the extension of the Acts noted in the margin

1. Criminal Law Amendment Act, 1938 (XX of 1938).	to the Civil and Military Station, Bangalore. A draft Notification is enclosed for the consideration of His Excellency the Crown Representative.
2. Indian Aircraft (Amendment) Act, 1938 (XXII of 1938).	
3. The Employers' Liability Act, 1938 (XXIV of 1938).	
4. Prevention of Cruelty to Animals (Amendment) Act, 1938, (XXV of 1938.	
5. The Employment of Children Act, 1938 (XXVI of 1938).	

I have the honour to be,
Sir,
Your most obedient servant,

Lieut. Colonel,
RESIDENT.

BJ

No.

POLITICAL DEPARTMENT.

Dated, Simla, the June 1939.

---:O:---

NOTIFICATION.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendments shall be made in the Civil and Military Station of Bangalore (Application of Laws) Order, ~~x~~ 1937, namely:-

In the Schedule to the said Order, under the heading "Acts of the Central Legislature" -

1. In modification (3) relating to the entry "111. The Indian Aircraft Act, 1934 (XXII of 1934)" for the figures and word "4,5,7 and 8", the figures, word and letters "4,5,7,8,8-A and 8-B" shall be substituted.

2. After the entry "126. The Child Marriage Restraint (Second Amendment) Act, 1938 (XIX of 1938)", the following entries shall be inserted, namely:-

"127. Criminal Law Amendment Act,1938 (XX of 1938).	Omit sub-sections (2) and (3) of section 1.
128. Indian Air-craft (Amendment) Act, 1938 (XXII of 1938).	
129. The Employers' Liability Act, 1938 (XXIV of 1938).	Omit sub-section (2) of section 1.
130. Prevention of Cruelty to Animals (Amendment) Act, 1938 (XXV of 1938).	In Act XI of 1890 as amended by this Act - (i) in sub-section (4) of section 6B omit the words "or, in Presidency towns, by the Commissioner of Police". (ii) in sub-section (1) of section 8 omit the words "Presidency Magistrate".
131. The Employment of Children Act, 1938 (XXVI of 1938).	(1) Omit sub-section (2) of section 1, section 2, sub-section (2) of section 3 and in section 5 the words "a Presidency Magistrate or"."

3. Existing entries 127 and 128 shall be re-numbered 131 and 132.

SECRETARY TO HIS EXCELLENCY
THE CROWN REPRESENTATIVE.

BJ

Con.F.No. 59-1939 19th June 1939.

To

The Secretary to His Excellency
the Crown Representative,
S I M L A.

Application of Acts to the Civil and Military Station of Bangalore.

Sir,

I request the application of the Acts noted in the margin to the Civil and Military Station of Bangalore. A draft Notification is enclosed for the consideration of His Excellency the Crown Representative.

1. The Dramatic Performances Act, 1876 (XIX of 1876),
2. The Indian Wireless Telegraphy Act, 1933 (XVII of 1933).

I have etc.,

Sd/- J.G.

R E S I D E N T .

No.

POLITICAL DEPARTMENT.

Dated, Simla, the June 1939.

NOTIFICATION.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendments shall be made in the Civil and Military Station of Bangalore (Application of Laws) Order, 1937, namely:-

In the Schedule to the said Order, under the heading "Acts of the Central Legislature",

(1) After the entry "22. The Indian Majority Act, 1875 (IX of 1875)" the following entry shall be inserted, namely:-

"22-A. The Dramatic Performances Act, 1876 (XIX of 1876).	(1) In section 1 omit the words "It extends to the whole of British India".
	(2) Omit section 2.
	(3) In section 3 omit the words "the Provincial Government, or outside the Presidency towns"."

(2) After the entry "106. The Indian Partnership Act, 1932 (IX of 1932)" the following entry shall be inserted, namely:-

"106-A. The Indian Wireless Telegraphy Act, 1933 (XVII of 1933).	Omit sub-sections (2) and (3) of section 1."

SECRETARY TO HIS EXCELLENCY
THE CROWN REPRESENTATIVE.

Corr.-40.
Old S. F./Progs.-40.

Indian Posts and Telegraphs Department.

No. WL/B.32/4.

FROM

Khan Bahadur Muhammad Barkat Ali, B.A.,
Postmaster-General, Madras.

To

The Secretary to the
Hon'ble the Resident in Mysore,
Bangalore.

Number of enclosures

Dated Madras 24th June 1939.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
26 JUN. 1939
Diary No. 6466
File No.

Application of the Indian Wireless Telegraph Act of 1933 in Administered areas and Railway Lands.

Sir,

I have the honour to request that you will kindly intimate whether the Indian Wireless Telegraphy Act, 1933, has been made applicable to the Civil and Military Station, Bangalore and to the Railway Lands in Mysore State to which the Indian Telegraph Act of 1885 has been applied.

An early reply will be appreciated.

I have the honour to be,
Sir,
Your most obedient servant,

for Postmaster-General.

Docs.accg:--Nil.

ncc. 24/6

Karim Bux Bros., Printers, Calcutta—521 (D-45)—8-10-37—1,000,000.

SN.4

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

R. Dis. No. F. 168-39
Judl.

FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

Issue 5/7 Issued 5/7/39

TO

The Postmaster-General,

Madras.

Dated Bangalore, the 5th July *19* 39

Application of Acts to the Civil and Military Station of Bangalore.

SIR,

SN.3 (1940)

I am directed to refer to your letter No.WL/B.32/4., dated the 24th June 1939. The question of the application of the Indian Wireless Telegraphy Act, 1933 (XVII of 1933), to the Civil and Military Station of Bangalore and the Railway lands in the Mysore State, over which jurisdiction has been ceded to the British Government, is under the consideration of His Excellency the Crown Representative, and a further communication will be sent to you as soon as a decision is reached in the matter.

I have the honour to be,

Sir,

Your most obedient servant,

O/C (initials)

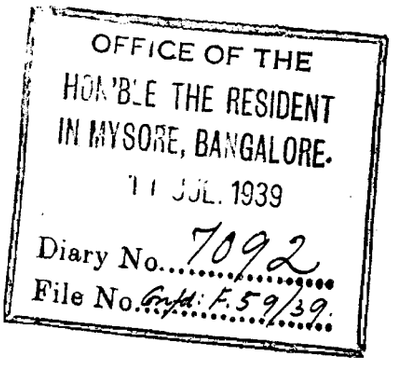
for SECRETARY TO THE RESIDENT.

4-7-39

4.7.39

9 (con't) S. N. 5 10.7.39 18

Copy forwarded to the Hon'ble the Resident in Mysore, for information, with reference to his letter No.Con.F.No.59-1939(2), dated the 19th June 1939.



S.N.2
Con. p. 4 (A)
R.D. 68-39

By order, etc.,

D. Y. Harrington Hawes
for Secretary to His Excellency
the Crown Representative.

No. 226-I.B.

Political Department.

Dated Simla, the 6th July 1939.

NOTIFICATION.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendments shall be made in the Civil and Military Station of Bangalore (Application of Laws) Order, 1937, namely :-

In the Schedule to the said Order, under the heading "Acts of the Central Legislature" -

(1) After the entry "22. The Indian Majority Act, 1875 (IX of 1875)", the following entry shall be inserted, namely :-

"22-A. The Dramatic Performances Act, 1876 (XIX of 1876).	(1) In section 1, omit the words "It extends to the whole of British India".
	(2) Omit section 2.
	(3) In section 3, omit the words "the Provincial Government, or outside the Presidency-towns"."

(2) After the entry "106.The Indian Partnership Act, 1932 (IX of 1932)", the following entry shall be inserted, namely :-

"106-A. The Indian Wireless Telegraphy Act, 1933 (XVII of 1933).	Omit sub-sections (2) and (3) of section 1."

Sd/-. C. Latimer,

Secretary to His Excellency

the Crown Representative.

Copy /

SNC

The Hon'ble the Resident in
Mysore.

Issue 2217 Issued 24/7/39

No. 77 Dated, 24th July 1939.

The following notification of the Political Department is republished:-

for Secretary to the Resident. 22.7.

Here enter Notification No.226-I.B., dated the 6th July 1939.

(50 spare copies to be supplied).

enclr. to S.N.5 P.U.C.

Osha 21.7.39

Copy to:—

(1) Collector & Dt. Magistrate (5 copies)

(2) Commissioner of Police and Railway Magistrate (2 copies)

(3) District & Sessions Judge and Registrar of Joint Stock Companies (4 copies)

(4) Treasury & Accountant Office (2 ")

(5) Residency Surgeon (1 ")

(6) Inspector of Schools (1 ")

(7) P. M. C., (2) C. Mr. Shahi, Bangalore (2

(11

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. 77, dated Bangalore, the 24th July 1939.

The following notification of the Political Department is republished :—

O/C

for *Secretary to the Resident.*

No. 226-I.B.

POLITICAL DEPARTMENT.

NOTIFICATION.

Dated Simla, the 6th July 1939.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendments shall be made in the Civil and Military Station of Bangalore (Application of Laws) Order, 1937, namely :—

In the Schedule to the said Order, under the heading "*Acts of the Central Legislature*"—

(1) After the entry "22. The Indian Majority Act, 1875 (IX of 1875)", the following entry shall be inserted, namely :—

"22-A. The Dramatic Performances Act, 1876 (XIX of 1876).	(1) In section 1, omit the words "It extends to the whole of British India".
	(2) Omit section 2.
	(3) In section 3, omit the words "the Provincial Government, or outside the Presidency-towns"."

(2) After the entry "106. The Indian Partnership Act, 1932 (IX of 1932)", the following entry shall be inserted, namely :—

"106-A. The Indian Wireless Telegraphy Act, 1933 (XVII of 1933).	Omit sub-sections (2) and (3) of section 1."

C. LATIMER,

Secretary to His Excellency the Crown Representative.

The Manager, Residency Press, Bangalore - 50 spare copies to be supplied.
The Collector & District Magistrate, - 5 s.c.
The Commissioner of Police and Railway Magistrate, - 2 "
The District & Sessions Judge and Registrar of Joint Stock Companies - 4 "
The Officer in charge of the Hon'ble the Resident's Treasury and Income-tax Officer, - 2 "
The Residency Surgeon, - 1 "
The Inspector of Schools, - 1 "
The President, Municipal Commission, - 2 "

Civil and Military Station, Bangalore.

BJ

The reply to this communication should be addressed to the Secretary to the Resident in Mysore Bangalore, by designation and not by name.

SW.7

R.Dis. No. F. 168-39 Enc(1)
Judl.

(12

FROM

Issued 17/8
18/8/39.

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Postmaster-General,

M a d r a s.

Dated Bangalore, the 18th August 1939.

Application of Acts to the Civil and Military Station of Bangalore.

Your letter No.WL/B.32/4, dated the 24th June 1939.

SIR,

SW.4 C.R.B.

I am directed to refer to my letter R.Dis.No.F.168-39/Judl., dated the 5th July 1939. The Indian Wireless Telegraphy Act, 1933 (XVII of 1933), has now been applied to the Civil and Military Station of Bangalore and the Railway lands in the Mysore State over which jurisdiction has been ceded to the British Government, by Political Department's Notification No.226-I.B., dated the 6th July 1939, a copy of which is enclosed.

C.P.9. C.

I have the honour to be,

Sir,

Your most obedient servant,

O/c

17.8.

for SECRETARY TO THE RESIDENT.

S.V.
16.8.39.

A.S.Ra.
16.8.39

No.F.161-IB/39.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
22 AUG. 1939
Diary No. 8732
File No. 88/168/39

From

The Secretary to His Excellency the Crown Representative,

To

The Hon'ble the Resident in Mysore.

Dated Simla, the 18th August 1939.

Application of Acts to the Civil and Military Station of Bangalore.

Sir,

I am directed to refer to your letter No. R.Dis. No.F.168-39/Judl, dated the 16th June 1939, and to forward a copy of a notification by this Department No.309-IB., dated the 17th August 1939, which incorporates changes which were considered necessary. I am also to forward a copy of the draft rules, issued under Section 7 of the Employment of Children Act, 1938, in respect of British India, and to suggest that the desirability of issuing similar rules, subject to necessary changes, in respect of the Civil and Military Station, Bangalore, may kindly be considered.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to His Excellency the Crown Representative.

No. 309 -I.B.
Political Department.
Dated Simla, the 17th August 1939.

NOTIFICATION.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendments shall be made in the Civil and Military Station of Bangalore (Application of Laws) Order, 1937, namely:-

In the Schedule to the said Order, under the heading "Acts of the Central Legislature"-

1. Modification (3) relating to the entry "111. The Indian Aircraft Act, 1934 (XXII of 1934)" shall be omitted.

2. Entries Nos. 127 and 128 shall be renumbered as entries Nos. 132 and 133 respectively, and before entry No.132 as so re-numbered, the following entries shall be inserted, namely:-

"127. The Criminal Law Amendment Act, 1938 (XX of 1938).	Omit sub-sections (2) and (3) of section 1.
128. The Indian Aircraft (Amendment) Act, 1938 (XXII of 1938).	
129. The Employers' Liability Act, 1938 (XXIV of 1938).	Omit sub-section (2) of section 1.
130. The Prevention of Cruelty to Animals (Amendment) Act, 1938 (XXV of 1938).	
131. The Employment of Children Act, 1938 (XXVI of 1938).	(1) Omit sub-section (2) of section 1, section 2, sub-section (2) of section 3, in sub-section (3) of section 5 the words "a Presidency Magistrate or" and section 8 (2) In sections 6 and 7 for "competent authority" substitute "Resident".

Sd. C. Latimer,
Secretary to His Excellency
the Crown Representative.

SL.

Draft Rules.

1. These rules may be called the Employment of Children (Federal Railways and Major Ports) Rules, 19

2. In these rules, "the Act" means the Employment of Children Act, 1938 (XXVI of 1938).

3. An Inspector appointed by the Central Government may enter -

(1) any federal railway wherein persons are employed in any occupation connected with the transport of passengers, goods or mails, and

(2) any major port where persons are employed in any occupation involving the handling of goods,

and may take on the spot or otherwise such evidence of any persons, and exercise such other powers of inspection, as he may deem necessary for carrying out the purposes of the Act.

4. Any medical practitioner registered under the Medical Act, 1858, or under any Act of any legislature in British India providing for the maintenance of a register of medical practitioners, may grant certificates of age in respect of young persons in employment or seeking employment in federal railways or major ports.

5. A certificate of age granted under rule 4 shall be in the form appended to these rules.

Form of Certificate.

(Rule 5).

Date ----------

I hereby certify that I have personally examined (name) ----------
son of ---------- (caste, etc.) ----------
residing at ---------- and that he has completed his fifteenth year. His descriptive marks are ----------
----

Thumb impression.

Medical Practitioner.

SN 9

Draft I.

DEPARTMENT.

BRANCH.

File No.

Serial No.

Issued 22/9/39. Issue 115

Draft Letter / Memorandum / Telegram

Class for telegrams	INLAND:	FOREIGN:
	Immediate	Immediate
	Important	Important
	Express	Ordinary
	Ordinary	Without priority

No. 96. Dated 13th September. 1939.

THE HON'BLE THE RESIDENT IN MYSORE.

To

NOTIFICATION.

The following notification of His Excellency the Crown Representative is republished:

Secretary to the Resdt.

Here enter the Political Department's Notification No.309-I.B., dated the 17th August 1939.

To be published in the Mysore Residency Orders (25 s.cs. may be supplied).

Copy to:

The Collector & Dist. Magistrat (5 copies).
The Commr. Police (2 ")
The Dist.& Sessions Judge & Regr.JudgeJ.S.C. (4 ")
The Tresy. & Income-tax Officer (2 ")
The Resdy. Surgeon (1 copy).
The Insp. of Schools(1 ").
The President, Munpl. Commissn. (2 copies).
Civil & Military Station, Bangalore

To be issued on | Issued on

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Heading:

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MGIPC—S5—1595(S&P)MFP—(M-944)—6-3-39—60,000 Pads

AsRao 7.9.39

29.8.39

S.No. (60)

18

No.F.267-I.B./39.

Copy of the Political Department Notification No.395-IB dated the 8th November 1939 is forwarded to the Hon'ble the Resident in Mysore for information with reference to his Express letter, No.R.83-39 (7) dated the 23rd October 1939.

By order, etc.,

for Secretary to His Excellency
the Crown Representative.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
17 NOV 1939
Diary No. 11,645
File No.

Political Department,

New Delhi,

the 9th November 1939.

No. 395- IB.

POLITICAL DEPARTMENT.

Dated New Delhi, the 8th November 1939.

NOTIFICATION.

~~No.~~ ~~-IB.~~ In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendment shall be made in the Civil and Military Station of Bangalore (Application of Laws) Order, 1937, namely:-

In the Schedule to the said Order, under the heading "Acts of the Central Legislature" after the entry "51. The General Clauses Act, 1897 (X of 1897)" the following entry shall be inserted, namely:-

"51-A. The Lepers Act, 1898 (III of 1898).	(1) Omit sub-sections (2), (3) and (4) of section 1.
	(2) Omit clause (5) of section 2.
	(3) For section 3 substitute - "3. The Resident may appoint any place within the Civil and Military Station of Bangalore, or by arrangements made with the Government of Mysore within the Mysore State to be a leper asylum if he is satisfied that adequate arrangements have been made or will be made for the accommodation and medical treatment of lepers therein".
	(4) In sub-section (1) of section 8 and in sub-section (3) of section 10 omit the words "Presidency Magistrate or"
	(5) All references to an area, or local area, specified under section 3 shall be construed as references to the Civil and Military Station of Bangalore".

Sd/- C. LATIMER,

SECRETARY TO HIS EXCELLENCY
THE CROWN REPRESENTATIVE.

SN.4 20

DEPARTMENT.

BRANCH.

File No.

Serial No.

Issue 24/11

Draft Letter / Memorandum / Telegram

24/11/39

Class for telegrams

INLAND:	FOREIGN:
Immediate	Immediate
Important	Important
Express	Ordinary
Ordinary	Without priority

No. 159 Dated 24th November 1939.

THE HON'BLE THE RESIDENT IN MYSORE.

~~His~~

Notification.

The following notification of ~~his~~ His Excellency the Crown Represent-ative is republished:

Secretary to the Resdt.

(Here enter the Political Department's Notification No. 395-IB, dated the 8th November 1939).

To be published in the Mysore Residency Orders. (50 copies may kindly be supplied).

Copy to:

The Collr. & Dist. Magistrate. (5 s.cs.)

The Commr. of Police (2 ")

The Dist. & Sessions Judge & Regr. of J.S.C (4 ")

The Tresy. & Income-tax Officer (2 ")

The Residency Surgeon (1 ")
The Insp. of Schools (1 ")
The President, Munpl. Commn. (2 ")

C & M Station, Bangalore.

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S. 5.

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ASRao 22.11.39

24.11.39.

21

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. 159, dated Bangalore, the 24th November 1939.

Issued. 28/11/39 DK

The following notification of His Excellency the Crown Representative is republished.

O/C

Secretary to the Resident.

No. 395-IB.

POLITICAL DEPARTMENT.

NOTIFICATION.

Dated New Delhi, the 8th November 1939.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendment shall be made in the Civil and Military Station of Bangalore (Application of Laws) Order, 1937, namely :—

In the Schedule to the said Order, under the heading "Acts of the Central Legislature" after the entry "51. The General Clauses Act, 1897 (X of 1897)" the following entry shall be inserted, namely :—

"51-A. The Lepers Act, 1898 (III of 1898).	(1) Omit sub-sections (2), (3) and (4) of section 1.
	(2) Omit clause (5) of section 2.
	(3) For section 3 substitute—
	"3. The Resident may appoint any place within the Civil and Military Station of Bangalore, or by arrangements made with the Government of Mysore within the Mysore State to be a leper asylum if he is satisfied that adequate arrangements have been made or will be made for the accommodation and medical treatment of lepers therein".
	(4) In sub-section (1) of section 8 and in sub-section (3) of section 10 omit the words "Presidency Magistrate or"
	(5) All references to an area, or local area, specified under section 3 shall be construed as references to the Civil and Military Station of Bangalore."

C. LATIMER,

Secretary to His Excellency the Crown Representative.

To be published in the Mysore Residency Orders - 50 copies to be supplied.

Copy to

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The Commissioner of Police,-	2 "
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The Treasury & Income-tax Officer,	2 "
The Residency Surgeon,	1 copy
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The President, Municipal Commission, Civil & Military Station, Bangalore.	2 s.cs.